

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

- against -

ANTON NAPOLSKY,
also known as “Anton Napolskiy,” and
VALERIIA ERMAKOVA,

1:22-cr-00525-NRM-CLP

Defendants.

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DECLARATION OF ANNA V. BROWN, ESQ.

I, Anna v. Brown, Esq., declare as follows:

1. I am a citizen and resident of the State of New Jersey and am a member in good standing of the Bar of the State of New Jersey and the Commonwealth of Pennsylvania, admitted *pro hac vice* in this action.

2. I submit this Declaration to provide information concerning judicial proceedings in Argentina in Defendants’ extradition cases based on my review of the extradition request, translations of Argentinian court orders, court filings in Defendants’ extradition cases in Argentina and the consultations of Defendants’ Argentinian counsel.

3. On October 22, 2022, Defendants traveled to Cordoba, Argentina. On November 3, 2022, Argentinian law enforcement authorities detained Defendants in the vicinity of Rio Gallegos pursuant to a U.S. law enforcement request.

4. On December 9, 2022, the Central Authority of Argentina received “Request for Assistance in the Investigation and Prosecution of Investigation of Z-Library” from the Central Authority of the United States.

5. On January 12, 2023, the Cordoba Federal Court reviewed the case and changed the jail detention to home confinement at a specific location, a rented apartment in Cordoba,¹ where Defendants remained.

6. On April 11, 2023, the Cordoba Federal Court reviewed the extradition request and found it to be deficient, as “we request that the requesting State through the corresponding diplomatic channel, corrects the request for extradition while requesting more precision in the description of the actions with circumstances of time, mode and place, as well as it shall identify where the actions so allow, the supposed victims (art. 8 law 25126; art. 13 lay 24767; art 18 C.N.).”² The extradition request was never supplemented.

7. On May 15, 2023, the Appellate Court issued a decision to substitute the judge in the extradition proceedings below.

8. On July 3, 2023, a new judge in Cordoba Federal Court issued a decision to grant Defendants extradition to the United States but stayed the enforcement pending the outcome of the immigration proceedings. That decision is currently being appealed. Defendants remain under house arrest as ordered by the Argentinian court.

¹ A copy of the resolution excerpts of the January 12, 2023 Orders with the certified English language translations is attached hereto as Exhibit “A”.

² A copy of the April 11, 2023 Order with the certified English language translation is attached hereto as Exhibit “B”.

I executed this declaration under the penalty of perjury, pursuant to the laws of the United States, that the foregoing statements made by me are true to the best of my professional knowledge and opinion.

September 10, 2023

s/ Anna V. Brown, Esq.